

My name is Mary Ellen Schnur; my husband and I reside east of Townsend. We have been in the licensed outfitting business continuously since 1971, and outfitting has been our primary source of income since 1976.

When we began outfitting, Fish and Game administered licensing of outfitters. The annual fee was \$25.00. Beginning in 1972, passing a written test has been required for licensure. All life and business has gotten more complicated since then.

There is not another Western state which has such strict rules and laws regulating outfitting as Montana has. Many of these rules and laws were enacted to limit growth of the outfitting industry as a whole, as well as to curb prosperity of individual outfitting businesses by limiting nonresident participation in fishing and hunting in Montana.

As more laws and rules are implemented, more work is required to administer them. As a consequence, the Board of Outfitters division of the Department of Labor and Industry is between \$60,000 to \$70,000 in the red. The budget proposed for the coming biennium does not anticipate any change in revenue; however, significantly fewer guides and outfitters were licensed this past year. With the passage of I-161, we expect this trend to continue. The number of hunting outfitters has been declining for several years. The supposed solution to the dilemma is to increase the prices of guide and outfitter licenses, and to increase administrative fees for reports and transactions required by law to conduct outfitting businesses.

A more straightforward way to reduce the deficit in the MBO office would be to reduce the amount of paperwork processing that is a result of HB 196, which passed as a companion bill to HB 195, which created the outfitter sponsored big game licenses. All of HB 195, in Fish & Game law, has been erased by I-161. The corresponding provisions in Board of Outfitters law should be repealed, as well.

Net Client Hunting Use (NCHU) was created in HB 196. NCHU is the ceiling on how many hunters an outfitter can serve, in three different categories. Outfitters and MBO staff devote hours each year to accounting for NCHU use. Changes in NCHU require transfer fees and tracking by MBO to see that all new NCHU is used within three years, or it is forfeited.

Outfitters must compile and revise detailed operations plans of all land use permits, leases, and ownership each year. Again, outfitters and MBO staff devote hours each year reconciling actual use with non use.

I'm submitting copies of the documents which must be maintained on these two provisions of HB 196.

Outfitters must pay \$5,000.00 annually if they have a camp more than a hundred miles from their home base of operations, outside the FWP region in which they reside. This is blatant restriction of individual enterprise.

All hunting and fishing outfitters must submit complete logs of dates of service with names, addresses, and license numbers of all clients; as well as names and license numbers of their guides, and hunting district or drainage or water body used. Hunting outfitters also must include all harvest of game. These logs must be maintained at headquarters or camp, and available for inspection at any time. MBO staff goes over all these logs with microscopic care. Each outfitter must additionally submit a tally sheet summarizing all the information on the logs, which the MBO staff must reconcile with logs. This duplication makes more work for MBO staff, as well as outfitters.

Many fishing outfitters are restricted by FWP law as to which stretches of river they can take nonresidents, which days of the week they can take fishermen, and how many total fishing days they can use in a season.

Today, a prospective outfitter must submit a fee of \$1800.00 along with an eighteen page application form before taking the written test. That's pretty daunting to someone who wants to purchase an existing business, let alone start a new one.

A law passed in 2005 has caught guide licensing in some unintended consequences. The law requires a uniform application form for all professional license applications. New guide applicants now receive a 7 page packet, which includes many questions which have nothing to do with the ability of the applicant to safely guide the endorsing outfitter's guests.

The unpredictability of our seasonal business sometimes requires us to hire a substitute guide during the season--maybe for a day or two, or maybe for the rest of the season. We used to have the option of hiring an emergency guide, who could complete the prerequisite first aid class within 30 days of hire. The emergency guide license is no longer allowed; a first aid card must be in force before a guide can be licensed. Emergencies are not allowed. Instead, we have the option of endorsing three "inactive" guides at \$50.00 per application, which can be activated upon receipt of an additional \$100.00 fee when we need them.

The first aid card seems more important than having a guide on the ground, providing safe and courteous service to our guests. To protect health and safety, all outfitters and guides must be currently certified in first aid. Credentials of a practicing medical doctor or a certified EMT are not recognized as adequate.

A major job-stifling challenge faced by the outfitting industry, as well as by other industries in the state, is the high cost of workmen's compensation

insurance. Most outfitters are paying in the neighborhood of 15% on their payroll for guides. In fairness, I have to say this rate has come down from the 33% it was about twenty years ago. It is still too high. Outfitters who have backcountry camps must pay the same rate for cooks who stay in camp all day, as for guides who are out in the woods all day. Our compatriots in Idaho pay a flat 3% for workmen's compensation for all their employees. That 12% difference could go a long way in paying wages for another employee. That 12% might make the difference between survival and extinction for small outfitters in the post I-161 era.

# 2010 FISHING STATISTICS SHEET – OUTFITTER USE LEVELS

NAME OF OUTFITTER \_\_\_\_\_ LICENSE # \_\_\_\_\_ DATE \_\_\_\_\_

Please do not list use that occurred on waters that do not require a Montana Outfitter license. (i.e. Use in a National Park, such as, Yellowstone, scenic float trips, etc.) Actual Clients Served must match your client logs.

DEFINITION OF SERVICE DAYS: The number of clients multiplied by the number of days the client(s) fished.

EXAMPLE: 1 client, 3 days fishing = 3 Service Days. 6 clients, 1 day fishing = 6 Service Days.  
2 clients, 4 days fishing = 8 Service Days. 1 client, 1 day fishing = 1 Service Day.

NR = Nonresident RES = Resident

R I V E R S   O R D R A I N A G E	ACTUAL CLIENTS SERVED		SERVICE D A Y S		L A K E S   O R R E S E R V O I R S	ACTUAL CLIENTS SERVED		SERVICE D A Y S	
	NR	RES	NR	RES		NR	RES	NR	RES
Beaverhead					Bighorn Lake				
Big Hole					Canyon Ferry Res.				
Bighorn					Clark Canyon Res.				
Bitterroot					Ennis Lake				
Blackfoot					Flathead Lake				
Boulder					Ft. Peck Lake				
Clark FK – Columbia					Fresno Res.				
Dearborn					Gibson Res.				
Flathead River					Hebgen Lake				
Flathead - Middle Fork					Hungry Horse Res.				
Flathead - North Fork					Lake Elwell				
Flathead – South Fork					Lake Koocanusa				
Gallatin					Ruby Res.				
Jefferson									
Judith					<b>Other Lakes (Please list names)</b>				
Kootenai									
Madison									
Marias									
Milk									
Missouri									
Mussellshell					<b>Other Rivers and/or Streams (Please list names)</b>				
Red Rock									
Rock Creek - Missoula									
Rock Creek - Billings									
Ruby									
Smith									
Stillwater					<b>Privately controlled waters (e.g. streams, creeks, ponds)</b>				
Sun									
Swan									
Teton									
Yellowstone									
Yellowstone - Clark fork									

# MONTANA BOARD OF OUTFITTERS

## (2011) FISHING OUTFITTER CLIENT REPORT LOG

**Outfitter Name:** \_\_\_\_\_ **License #:** \_\_\_\_\_ **Year:** \_\_\_\_\_ **Page** \_\_\_\_\_ **of** \_\_\_\_\_

Service Date(s)	Client and Guide Information	Stream or Lake Used	Stream Section
	<b>Name:</b>		
	<b>Address:</b> <span style="float: right;"><b>Zip:</b></span>		
	<b>Client Lic # (Date of Birth &amp; ALS#):</b>		
	<b>Guide Name:</b> <span style="float: right;"><b>Guide Lic #:</b></span>		
	<b>Name:</b>		
	<b>Address:</b> <span style="float: right;"><b>Zip:</b></span>		
	<b>Client Lic # (Date of Birth &amp; ALS#):</b>		
	<b>Guide Name:</b> <span style="float: right;"><b>Guide Lic #:</b></span>		
	<b>Name:</b>		
	<b>Address:</b> <span style="float: right;"><b>Zip:</b></span>		
	<b>Client Lic # (Date of Birth &amp; ALS#):</b>		
	<b>Guide Name:</b> <span style="float: right;"><b>Guide Lic #:</b></span>		
	<b>Name:</b>		
	<b>Address:</b> <span style="float: right;"><b>Zip:</b></span>		
	<b>Client Lic # (Date of Birth &amp; ALS#):</b>		
	<b>Guide Name:</b> <span style="float: right;"><b>Guide Lic #:</b></span>		
	<b>Name:</b>		
	<b>Address:</b> <span style="float: right;"><b>Zip:</b></span>		
	<b>Client Lic # (Date of Birth &amp; ALS#):</b>		
	<b>Guide Name:</b> <span style="float: right;"><b>Guide Lic #:</b></span>		



## 2010 HUNTING STATISTICS SHEET -- OUTFITTER USE LEVELS

Name of Outfitter: \_\_\_\_\_

License # \_\_\_\_\_

Date: \_\_\_\_\_

### TYPES OF LICENSES SERVED

#### **NONRESIDENT CLIENTS ONLY** (Information for resident clients on the back of this form)

How many clients with an outfitter sponsored B-10 license (Big Game or Elk Combo) did you serve?	
How many clients with an outfitter sponsored B-11 license (Deer Combo) did you serve?	
How many clients with an Elk/Deer combination license through the drawing did you serve?	
How many clients with a Deer combination license through the drawing did you serve?	
How many nonresident clients with an antelope license did you serve?	
How many nonresident clients with a bear license did you serve?	
How many nonresident clients with a mountain lion license did you serve?	
How many nonresident clients with a moose license did you serve?	
How many nonresident clients with a bighorn sheep license did you serve?	
How many nonresident clients with a mountain goat license did you serve?	
How many nonresident clients with a bison license did you serve?	
How many nonresident clients with an upland game bird license did you serve?	
How many nonresident clients with a turkey license did you serve?	
How many nonresident clients with a license to hunt waterfowl did you serve?	

### HARVEST INFORMATION FOR ALL CLIENTS SERVED

<u>Type of Game</u>	<u>Total # Harvested</u>	<u>Number taken by Gender</u>	
		<u>Male</u>	<u>Female</u>
Elk	_____	_____	_____
Deer	_____	_____	_____
Antelope	_____	_____	_____
Lion	_____	_____	_____
Sheep	_____	_____	_____
Bear	_____	_____	_____
Goat	_____	_____	_____
Moose	_____	_____	_____
Upland Game Birds	_____	_____	_____
Turkey	_____	_____	_____
Waterfowl	_____	_____	_____

**RESIDENT CLIENTS ONLY**

<b>How many resident hunters with a resident elk license did you serve?</b>	
<b>How many resident hunters with a resident deer license did you serve?</b>	
<b>How many resident clients with an antelope license did you serve?</b>	
<b>How many resident clients with a bear license did you serve?</b>	
<b>How many resident clients with a mountain lion license did you serve?</b>	
<b>How many resident clients with a moose license did you serve?</b>	
<b>How many resident clients with a bighorn sheep license did you serve?</b>	
<b>How many resident clients with a mountain goat license did you serve?</b>	
<b>How many resident clients with a bison license did you serve?</b>	

<b>How many resident clients with an upland game bird license did you serve?</b>	
<b>How many resident clients with a turkey license did you serve?</b>	
<b>How many resident clients with a license to hunt waterfowl did you serve?</b>	

# MONTANA BOARD OF OUTFITTERS

## (2010) HUNTING OUTFITTER CLIENT REPORT LOG

Outfitter Name: \_\_\_\_\_ License: \_\_\_\_\_ Year: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

Date(s) of Service	Client Name & License Number	Guide Name & Guide License Number	Predominant Species Hunted	All FWP Districts Hunted	USFS, STATE, BLM, CMR OR PRIVATE	All Species Harvested Requiring A Validated License	\$2.00 Fee (Y/N)
	Name:	Guide:					
	Address:	Guide Lic #:					
		Remarks:					
	Client Lic #: (Date of Birth & ALS#)						
	Name:	Guide:					
	Address:	Guide Lic #:					
		Remarks:					
	Client Lic #: (Date of Birth & ALS#)						
	Name:	Guide:					
	Address:	Guide Lic #:					
		Remarks:					
	Client Lic #: (Date of Birth & ALS#)						
	Name:	Guide:					
	Address:	Guide Lic #:					
		Remarks:					
	Client Lic #: (Date of Birth & ALS#)						
	Name:	Guide:					
	Address:	Guide Lic #:					
		Remarks:					
	Client Lic #: (Date of Birth & ALS#)						



**MONTANA BOARD OF OUTFITTERS  
(2010) HUNTING OUTFITTER CLIENT REPORT LOG  
INSTRUCTIONS**

- 1) **OUTFITTER NAME** - IDENTIFY THE FIRST AND LAST NAME OF OUTFITTER
- 2) **LICENSE #** - IDENTIFY OUTFITTER LICENSE NUMBER
- 3) **YEAR** - IDENTIFY THE CLIENT REPORT LOG YEAR (2009, 2010, 2011, etc.)
- 4) **PAGE # OF #** - IDENTIFY THE PAGE NUMBER AND TOTAL NUMBER OF PAGES (Example: 1 of 10, 3 of 12, etc.)
- 5) **DATE(S) OF SERVICE** - IDENTIFY THE DATE(S) EACH CLIENT WAS SERVED (Example: 10/23/2010 through 10/25/2010)
- 6) **NAME/ADDRESS** - IDENTIFY THE FIRST AND LAST NAME OF ALL CLIENTS SERVED **NOTE:** IF THE CLIENT WAS SPONSORED BY YOU FOR AN OUTFITTER-SPONSORED LICENSE ISSUED BY THE MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS, YOU MUST REPORT THE CLIENT REGARDLESS OF WHETHER YOU SERVED THE CLIENT FOR THE HUNT OR NOT.  
  
IF THE OUTFITTER SPONSORED CLIENT WAS NOT SERVED BY YOU, INDICATE WHY THE CLIENT WAS NOT SERVED (Example: Sickness, no show, transferred to another outfitter) AND THEN EXPLAIN WHAT WAS DONE WITH THE OUTFITTER SPONSORED LICENSE (Example: Returned the license to FWP). YOU MUST IDENTIFY THE NAME OF THE OUTFITTER IF THE CLIENT WAS TRANSFERRED. YOU MAY USE THE REMARKS AREA (14) FOR COMMENTS. (SEE SAMPLE)  
  
IF THE CLIENT WAS TRANSFERRED TO ANOTHER OUTFITTER IDENTIFY THE NAME OF THE SUBSTITUTE OUTFITTER. YOU MAY USE THE REMARKS AREA (14) FOR YOUR COMMENTS. (SEE SAMPLE)  
  
IF YOU SERVED A CLIENT WHO HELD AN OUTFITTER SPONSORED LICENSE AND ANOTHER TYPE OF LICENSE, SUCH AS AN ANTELOPE LICENSE, YOU WILL ENTER THE CLIENT IN THE LOG AGAIN FOR EACH LICENSE TYPE. (SEE SAMPLE)
- 7) **CLIENT LIC #** - IDENTIFY THE CLIENT LICENSE NUMBER. THE LICENSE NUMBER IS PRINTED ON THE CLIENT'S HUNTING LICENSE AND IS THE CLIENT'S DATE OF BIRTH AND ALS #
- 8) **GUIDE NAME & LICENSE NUMBER** - IDENTIFY THE GUIDE'S FULL NAME AND MONTANA GUIDE LICENSE NUMBER. **NOTE:** SOME CLIENTS MAY HAVE MORE THAN ONE GUIDE. LIST ALL GUIDES OR OUTFITTERS THAT GUIDED THE CLIENT IN THE FIELD. ADD NAMES IN THE REMARKS AREA (14) IF NEEDED.
- 9) **PREDOMINANT SPECIES HUNTED** - IDENTIFY THE SPECIES OF GAME HUNTED BY EACH CLIENT USING THE ABBREVIATION KEY PROVIDED. (**NOTE:** CAN BE MORE THAN ONE PREDOMINANT SPECIES - Example: E, ANT, UB, WTR) Key Abbreviations - DD (doe deer) MD (mule deer) WTD (white tail deer) E (elk) L (lion) BB (black bear) M (moose) G (goat) SHP (sheep) BF (buffalo) ANT (antelope) UB (upland bird) WTR (waterfowl) WF (wolf)
- 10) **ALL FWP DISTRICTS** - IDENTIFY ALL THE FISH, WILDLIFE AND PARKS HUNTING DISTRICTS (HD) USED PER CLIENT (Example: HD214, HD316, HD451, HD610, HD700) **NOTE:** THERE CAN BE MORE THAN ONE AREA USED PER SPECIES.
- 11) **USFS, STATE, BLM, CMR OR PRIVATE** - IDENTIFY WHERE THE CLIENT HUNTED BY INDICATING USFS, STATE, BLM, ETC. **NOTE:** CAN BE MORE THAN ONE.
- 12) **ALL SPECIES HARVESTED REQUIRING A VALIDATED LICENSE** - IDENTIFY THE SPECIES OF GAME HARVESTED BY EACH CLIENT USING THE ABBREVIATION KEY IN (9) ABOVE.
- 13) **\$2.00 FEE (Y/N)** - MARK "Y" FOR YES, IF HUNTING CLIENT SERVED. **NOTE:** CONSIDER CLIENTS AS A CUSTOMER AND ONLY MARK "Y" ONCE REGARDLESS OF LICENSE TYPES SERVED. (Example: A client may hunt spring turkey and return in fall for elk and be counted only once for the \$2.00 fee, but placed on the logs twice.)  
  
MARK "N" FOR NO, IF A HUNTING CLIENT HAS PREVIOUSLY BEEN DOCUMENTED AS "Y". (SEE SAMPLE)  
  
COUNT THE NUMBER OF CLIENTS MARKED AS "Y" AND MULTIPLY THE TOTAL BY 2. SUBMIT PAYMENT WITH YOUR RENEWAL PACKET.
- 14) **REMARKS** - THIS SPACE IS AVAILABLE TO IDENTIFY INFORMATION REQUESTED IN (6) AND (8) AND MISCELLANEOUS INFORMATION AS NEEDED.

# MONTANA BOARD OF OUTFITTERS (2010) HUNTING OUTFITTER CLIENT REPORT LOG

Outfitter Name: 1 JOHN DOE License #: 2 1234 Year: 3 2010 Page 1 of 3

Date(s) of Service	Client Name & License Number	Guide Name & Guide License Number	Predominant Species Hunted	All FWP Districts Hunted	USFS, STATE, BLM, CMR OR PRIVATE	All Species Harvested Requiring A Validated License	\$2.00 Fee (Y/N)
10/23/10 through 10/25/10	Name: John Smith Address: 1234 Park St Any City, Iowa 00000	Guide: Jeremiah Johnson Guide Lic #: 12344 Remarks:	EMD	362	USFS PRIVATE	E & MD	Y
5	Client Lic #: 10/14/56-5 (Date of Birth & ALS#)	Guide: Davy Jones # 5555 Guide: Mike Handy # 12121	6	8	14		
	Name: Mike Smith Address: 1111 State St Apt 3 Somewhere KS 11111	Guide: Guide Lic #:					N
	Client Lic #: 9/10/55-1 (Date of Birth & ALS#)	Remarks: client cancelled hunt due to personal reasons - the license was returned to FWP					
09/15/10 through 09/18/10	Name: John Smith Address: 1234 Park St Any City, Iowa 00000	Guide: Jeremiah Johnson Guide Lic #: 12344 Remarks:	Antelope	701	PRIVATE	Antelope	N
09/15/10 through 09/18/10	Client Lic #: 10/14/56-5 (Date of Birth & ALS#)	Guide: Jeremiah Johnson Guide Lic #: 12344 Remarks:	Turkey	701	PRIVATE	Turkey	N
	Name: John Smith Address: 1234 Park St Any City, Iowa 00000	Guide: Jeremiah Johnson Guide Lic #: 12344 Remarks:					
10/23/10 through 10/25/10	Client Lic #: (Date of Birth & ALS#) Name: Zachary Woods Address: 2222 Center Ave Somerton AZ 88888	Guide: Davy Jones Guide Lic #: 5555 Remarks:	Elk	362	USFS	Elk	Y
	Client Lic #: 01/01/1972-3 (Date of Birth & ALS#)	Guide: Jeremiah Johnson # 12344 Client Zachary Woods was transferred to outfitter John Roy to hunt deer					